

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRANDON TOLE,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

CASE NO. C22-594 MJP

ORDER ON JOINT MOTION TO
APPROVE CONSENT DECREE

This matter comes before the Court on the Parties' Joint Stipulated Motion for Approval and Entry of Consent Decree. (Dkt. No. 147.) Having reviewed the Motion, proposed consent decree, and all supporting materials, the Court GRANTS the Motion and will separately enter a consent decree with certain modifications from the proposed version. Specifically, the Court declines to adopt the following proposed "Finding":

This Decree conforms with the Federal Rules of Civil Procedure and USERRA, and is not in derogation of the rights and privileges of any person. The entry of the Decree will further the objectives of USERRA and will be in the best interest of the parties.

(Proposed Consent Decree § 7(c) (Dkt. No. 147-2).) The Court has not been provided with sufficient information on which to make any finding about whether the proposed consent decree is consistent with or further the objectives of USERRA. The Parties have not provided the Court with a copy of the settlement agreement, and, as such, the Court is without any means of determining what relief may or may not have been accorded to Plaintiff and whether and how that is consistent with USERRA. Additionally, the Court lacks sufficient information on which to make a finding that the proposed decree conforms to the Federal Rules of Civil Procedure, particularly since the Parties have not provided any argument as to why it might be the case. Similarly, the Court lacks any information on which to make a finding that the proposed consent decree is “not in derogation of the rights and privileges of any person.” For these reasons, the Court declines to include these proposed findings. The Court remains open to further consideration of these proposed findings, but the Parties must provide sufficient information and explanation as to why such findings are proper. Subject to this alteration, the Court will separately enter the proposed consent decree.

The clerk is ordered to provide copies of this order to all counsel.

Dated January 24, 2025.



Marsha J. Pechman
United States Senior District Judge